

Appendix 1

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

MAR 29 2019

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

LORCAN KILROY,

Plaintiff-Appellant,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT BOARD OF EDUCATION; et
al.,

Defendants-Appellees.

No. 16-56484

D.C. No.
2:13-cv-06373-DMG-FFM

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Dolly M. Gee, District Judge, Presiding

Submitted March 27, 2019**

Before: WALLACE, FARRIS, and TROTT, Circuit Judges.

Lorcan Kilroy appeals pro se from the district court's summary judgment in his employment action against Los Angeles Unified School District Board of Education alleging federal claims. We have jurisdiction under 28 U.S.C. § 1291.

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

We review the district court's summary judgment de novo, *T.B. ex rel. Brenneise v. San Diego Unified Sch. Dist.*, 806 F.3d 451, 466 (9th Cir. 2015), and we affirm.

The district court properly granted summary judgment on Kilroy's claims of retaliation in violation of Title II of the Americans with Disabilities Act and § 504 of the Rehabilitation Act because he failed to raise a genuine issue of material fact regarding causation or pretext. *See Curley v. City of N. Las Vegas*, 772 F.3d 629, 632 (9th Cir. 2014) (holding that if defendant establishes legitimate, non-retaliatory reason for adverse action, then plaintiff must show pretext). Contrary to Kilroy's contention, the district court applied the correct causation standard. *See Brenneise*, 806 F.3d at 473 (holding that but-for standard applies in determining whether plaintiff has established causal link between protected activity and adverse action).

The district court properly exercised its discretion in its rulings regarding evidence of discipline imposed on other teachers. *See ABS Entm't, Inc. v. CBS Corp.*, 908 F.3d 405, 413 (9th Cir. 2018) (stating standard of review). The evidence was hearsay, and any error in the district court's refusal to consider it on summary judgment was harmless because the evidence did not support Kilroy's showing of causation or pretext. *See Fed. R. Evid. 801(c)* (defining hearsay); *Aguilera v. Baca*, 510 F.3d 1161, 1174 (9th Cir. 2007) (defining harmless error).

The district court properly exercised its discretion in denying Kilroy's

untimely motion for judicial notice. *See Khoja v. Orexigen Therapeutics, Inc.*, 899 F.3d 988, 998 (9th Cir. 2018), *petition for cert. filed* (U.S. Jan. 31, 2019) (No. 18-1010).

The district court properly exercised its discretion in denying Kilroy's motion to compel responses to a subpoena served on a non-party. *See Mueller v. Aufer*, 700 F.3d 1180, 1194 (9th Cir. 2012) (stating standard of review).

We reject as unsupported by the record Kilroy's contention that the district court failed to conduct a de novo review of the magistrate judge's reports and recommendations, as required by Federal Rule of Civil Procedure 72(b)(3) and 28 U.S.C. § 636(b)(1). *See Wang v. Masaitis*, 416 F.3d 992, 1000 (9th Cir. 2005).

The district court properly exercised its discretion in denying Kilroy leave to file a third amended complaint to include new claims and new defendants concerning events that occurred while this action was pending. *See Hoang v. Bank of Am., N.A.*, 910 F.3d 1096, 1102 (9th Cir. 2018) (stating standard of review); *In re Tracht Gut, LLC*, 836 F.3d 1146, 1152 (9th Cir. 2016) (setting forth factors that district court should consider in determining whether to permit leave to amend).

In light of the district court's entry of final judgment, issues regarding preliminary injunctive relief and the certification of issues for appeal under 28 U.S.C. § 1292(b) are moot.

All pending motions are denied.

AFFIRMED.

Appendix 2

SUPPLEMENTAL U.S.C. § 144 AFFIDAVIT OF LORCAN T. KILROY

My name is Lorcan T. Kilroy. I am the Plaintiff in the above entitled and numbered cause. I am competent to make this declaration. The facts stated in this declaration are within my personal knowledge and are true and correct. I have personal knowledge of the stated facts, which I learned as the result of being subjected to the facts and events stated herein. The Los Angeles Police Department (LAPD) was not a party to previously filed case cv13-06373DMG (FFM), in which I was also Plaintiff and over which the Court I am moving to disqualify previously presided. An unbiased judge might find many of the Police related issues described below troubling in regard to the impartiality of the Court in question.

All Los Angeles Police Department (LAPD) official records filed before the previous court presided over by the Hon. Dolly M. Gee and Hon. Frederick F. Mumm, in case No. cv13-06373, and referenced in this Declaration, were released to me in response to a subpoena I served on LAPD in that case. Former LAPD lawyer Jess Gonzalez (SBN 85954) released the records to me and then, according to LAPD, Gonzalez died suddenly. The cause of his death is unknown to me. On information and belief the records were kept in the normal course of business by

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1 LAPD. LAUSD documents referenced here were received from LAUSD in
2 discovery in case cv13-6373, or are documents downloaded by me from LAUSD
3 teacher accessible website(s) when I was a teacher for LAUSD. Lawyer Amie Park
4 (SBN 273346) later stated to me that I “should not have been given” the witness
5 statements referenced below. She later exited Hurrell & Cantrall, the law firm
6 representing LAUSD in case cv13-06373.
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9 1. In regard to the statements of the previous court, (see Doc. No. 210 ¶ II (B)), in
10 that court’s denial of my Motion For Leave To File Third Amended Complaint in
11 previously filed case No. cv13-06373 DMG (FFM), I have never been arrested or
12 sent to jail by law enforcement for the allegations of sexual misconduct at Millikan
13 Middle School which are the subject of complaint in the instant case, nor have I
14 ever been arrested or sent to jail by law enforcement for any matter. As stated in
15 the instant complaint, the sexual misconduct allegations are false (*see also* Decl.
16 Kilroy case cv13-06373 DMG (FFM) Doc. No. 183).
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19 2. After I made allegations to Calif. Attorney General Kamala Harris about Los
20 Angeles Police Department (LAPD) misconduct in suppressing witness statements
21 in a child abuse incident, (allegations delivered to Harris via service in individual
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1 capacity by San Francisco process server Eric Montoya on March 2, 2015, and via
2 continued reportings via email and US MAILED correspondence and
3 administrative filings in 2016), Attorney General Harris and John DeCure,
4 (previously Los Angeles Deputy Attorney General IV), revoked my State
5 teacher's license, using as supposed cause a letter I had written to parents about
6 student behavior four years earlier (see the letter filed as Doc. No. 129-5, Exh. I in
7 case cv13-06373 and posted by NBC on their website at:
8 [http://www.nbclosangeles.com/news/local/Teacher-Fights-LAUDS-After-](http://www.nbclosangeles.com/news/local/Teacher-Fights-LAUDS-After-Suspension-218073391.html)
9 [Suspension-218073391.html](http://www.nbclosangeles.com/news/local/Teacher-Fights-LAUDS-After-Suspension-218073391.html)). I was informed at the Calif. State license revocation
10 hearing, and in related documents, that my license was being stripped not for any
11 cause related to sexual misconduct allegations (which are falsified) or because of
12 reportings to Harris, but for my having written the letter to two students' parents
13 four years before on Jan 17, 2012. The letter's use as pretext to retaliate against me
14 is a question in litigation in previously filed case cv13-06373 DMG (FFM) and
15 pending Ninth circuit Court of Appeals case No.16-56484.

16 **3. During the revocation, Attny. General Harris (SBN 146672) acted as prosecutor;**
17 **DeCure SBN 150700, (who State employment records show was stationed in Los**
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1 Angeles as Deputy Attorney General IV until 2013), was swapped in as the date of
2 hearing approached, to take the place of regularly scheduled "Administrative Law
3 Judge" Ralph B. Dash (SBN 70578). Decure then acted as the supposedly
4 "impartial judge" during Calif. State hearing # 2016010340 on July 11th- 12th,
5 2016, at DGS/Ofc. Admin Hearings 320 W 4th St. Ste. 630 Los Angeles, CA
6 90013. DeCure issued the decision to revoke and it became effective Oct. 14, 2016.
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8 Harris assigned the revocation hearing "lawyer" duties to a San Diego Deputy,
9 Kristen Dalessio, not the local Los Angeles office. This arguably deflected
10 attention away from DeCure's recent employment in Harris' office in Los Angeles.
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12 4. The reportings I made to Harris before she revoked my license included copies
13 of previous 2013 and 2014 communications and emails about Los Angeles Police
14 Department Juvenile Division detective Rose Ledesma-Gaeta's (Serial No. 32097)
15 investigation of what witnesses described was a Van Nuys High School teacher
16 suspect's incident on April 20, 2012. The suspect is marked John Doe 1 in the
17 docket filings of cv13-06373. John Deasy was LAUSD Superintendent at the time.
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19 5. Witness statements and documents given to me in discovery in cv13-06373 by
20 LAUSD lawyers show John Doe 1 went on a rampage through the school hallway
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1 and two classrooms, violently shoving the disabled 15 year old victim in the chest,
2 dragging him out of a chair, and making threats, including a death threat and a
3 threat to knock him unconscious. There was also a “very hard” grab on the arm
4 described in the incident. According to the witness statements, there was
5 “screaming”, evident fear in the victim, and the teacher suspect chased the victim
6 to another classroom. Described profanity from suspect John Doe 1 included:
7 “FUCKING ASSHOLE”, “DON’T FUCKING INTERRUPT MY CLASS”,
8 “FUCKER”, “SON OF A BITCH”, and “KICK HIS ASS” etc. (*see* witness
9 statements harvested from adults and juveniles by Van Nuys High School Principal
10 Judith Vanderbok and Assist. Principal Phyllis Baer and filed as Doc. No.158
11 pg.19-21, 32-48 in case cv13-06373).

12 **6.** A Document was later tendered by LAUSD in discovery in cv13-06373 titled
13 “incident report.” It references the John Doe 1 incident and is stated to have been
14 created by Assistant Principal Phyllis Baer on April 23, 2012 (*see* “incident report”
15 cv13-06373 Doc. No.158 pg. 50-52). The LAUSD ‘incident report’ shows John
16 Doe 1’s incident took place on April 20, 2012 at Van Nuys High upstairs in the
17 main building, which was directly above the offices of Principal Judith Vanderbok
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1 and Baer herself. Baer leaves out the witness statements even though many witness
2 statements, including some on Baer's office letterhead, state they were harvested
3 by Baer on April 20, 2012, before the date of creation on her LAUSD incident
4 report on April 23, 2012 (*see eg.* witness statements cv13-06373 Doc.158 Pg.36-
5 38, 43, 47-48).
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8 7. Documents later tendered by LAPD in discovery in cv13-06373 show that a
9 SCAR, (suspected child abuse reporting), was made by a substitute teacher
10 witness, and that a subsequent Police investigation of John Doe 1's April 20, 2012
11 rampage was marked by LAUSD school Police and LAPD in records as "DR 12-
12 09-11015". The witness statements gathered by Baer and Vanderbok, (Doc.
13 No.158 pg.19-21, 32-48), were also seen to be missing from school Police and
14 LAPD Detectives' asserted "investigations" (see Police investigative reports filed
15 in cv13-06373 as Doc. No. 158 pg. 54-55 (School Police Officer Weber); Doc. No.
16 158 pg.57 (LAPD Det. Devine-Pelt); Doc. 158 pg. 61 (LAPD Det. Devine-Pelt);
17 Doc. 159 pg. 68 (LAPD Det. Yepp). This in turn led to Los Angeles City Attny.
18 Alex T. Perez SBN 143317 dismissing battery charges due to "no witnesses." (*see*
19 dismissal Doc. No. 158, pg. 63).
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1 8. According to public COTC website records, and an LAUSD “conference
2 memorandum” tendered in discovery, (*see* Assist. Principal Baer’s ‘conference
3 memo” re “anger management” recommendation cv1306373 Doc No. 234-1 pg.82-
4 83) , the Special Education teacher John Doe 1 was not suspended and his license
5 was not prosecuted and remains intact. He was given recommendation of “anger
6 management”.

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9 9. In contrast, (and in contrast also to what LAUSD records show was no
10 consequence or just mild consequence of other additional comparator teachers
11 whose various “incidents” and criminal records were also evidenced in cv13-
12 06373, *see e.g.* SDMF Doc. No. 276), I then lost my job and license, supposedly in
13 connection to the aforementioned letter. The circumstances of the letter, and
14 question of its use as pretext for retaliation, are part of previously filed case cv13-
15 06373, (*see e.g.* previous suspension/juvenile misconduct records from students
16 placed in my classes, filed in Cv13-06373 as Doc. No. 32 pgs. 40-56 & SAC Doc.
17 No. 129, Exh. C & E; *see* Doc. No 298 (b) regarding alleged disparate no
18 suspension of “FAGGOT” slur discussed on NBC; *see* SDMF Doc. No. 276 Exh.
19 F, G, H & I.).

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1 **10.** Assistant Principal Baer and Principal Vanderbok, (the gatherers of the witness
2 statements regarding the John Doe 1 incident which were later missing from Police
3 reports), then popped up again as the only “witnesses” brought in to Prosecutor
4 Kamala Harris’ license revocation action on July 12, 2016 to testify about the letter
5 to parents from four years earlier, to effect revocation of my license.
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8 **11.** In April 2012, after I was initially suspended for 11 days, and told I had been
9 “recommended for termination”, (audio recording of recommendation of
10 termination by Principal Vanderbok lodged as cv13-06373 Doc. No. 61), and
11 reported to the license commission, all supposedly for the letter, a student told me
12 another teacher (John Doe 1) had choked a student at Van Nuys High. The teacher
13 himself told me he had to stay out from school for a few days when I asked what
14 the consequence had been. He said he was lucky the administration “backed him
15 up.” Principal Vanderbok and Assistant Principal Baer were administrators at the
16 time at Van Nuys High.
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19 **12.** I was offered an interview by NBC after I gave them emails from LAPD
20 detective Rose Ledesma-Gaeta (Serial No. 32097) confirming John Doe 1’s
21 incident which I perceived as kept secret by the Deasy administration and not
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1 consequenced. I later discovered the NBC reporter was a social media "Facebook
2 friend" of LAUSD General Counsel David Holmquist. I was disappointed that the
3 LAPD detective's email was then omitted from the NBC television clip and any
4 mention of it edited out, focusing instead on my letter. I was "displaced" and
5 removed from my Art teaching position on the Van Nuys High campus.
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8 **13.** After trying in vain to address my concerns with LAPD, I eventually reached
9 out to the Los Angeles Police Commission to look into LAPD's handling of John
10 Doe 1's incident. An email shows Los Angeles Police Commission individual
11 Richard Tefank requested that LAPD do some oversight review of the handling of
12 John Doe 1's incident and report back to them.
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15 **14.** LAPD later tendered in discovery several letters from LAPD command staff
16 Chief Charlie Beck, Juvenile Div. Captain Fabian Lizarraga, Deputy Chief Kirk J.
17 Albanese, and Assistant Chief Michel R. Moore, which amongst them show that
18 documentation regarding the oversight review of John Doe 1's incident was
19 forwarded to the Los Angeles Police Commission, (*see* letters cv13-06373 Doc. No
20 158 pg. 23-25, 59.) However, a "fact sheet" about the investigation tendered to
21 me by LAPD in discovery was still missing the witness statements or any mention
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1 of their existence. LAPD refused to give over the hand signed versions of the
2 command staff's letters except for Captain Lizarraga's. (Lizarraga had exited the
3 LAPD after the incident).

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5 **15.** The previous court denied my motion to compel the hand signed versions from
6 Beck, Moore, and Albanese, and evidence of Police internal discipline of personnel
7 in connection to the handling of the John Doe 1 investigation, (*see* my Joint Stip.
8 to compel responses to subpoena on LAPD in case cv13-06373 Doc. No. 234 pg.
9 24; see the previous court's order granting my motion but only in part Doc.
10 No.262). The previous court effectively blocked the material in the partly denied
11 joint stipulation to compel LAPD responses to subpoena from being seen in
12 unredacted form on appeal, by denying my application (Doc. No. 233) to file the
13 joint stipulation to compel LAPD response under seal (*see* that denial Doc. No.
14 274).

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16 **16.** The "fact sheet" (later tendered to me by LAPD in discovery) about the John
17 Doe 1 incident states it was created by their Juvenile Division (under Captain
18 Fabian Lizarraga). Despite missing witness statements, the "fact sheet" (cv13-
19 06373 Doc. No. 158 pg. 26-28), states that LAPD's "*thorough investigation*"
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1 included LAUSD administrators. Principal Vanderbok and Assistant Principal
2 Phyllis Baer were administrators at the time at Van Nuys High School. As
3 previously stated, LAPD Juvenile Division Captain Fabian Lizarraga then left
4 LAPD. The previous court refused to compel discovery of LAPD personnel
5 discipline related to the incident (*see denial re. relayed LAPD personnel records*
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7 Doc. No. 262 ¶ II.D.).

9 17. According to the LAPD's Juvenile Division "fact sheet" tendered to me in
10 discovery, (*see* cv13-06373 Doc. No. 234 pg.84), about the supposed LAPD
11 investigation of John Doe 1's incident, a "suspected child abuse reporting",
12 (SCAR), was entered into LAPD's case tracking system (1209X0246) by Det. II
13 Darrell Van Roy Serial No. 27089. Also according to the "fact sheet" this was
14 followed by a "SCAR report" by an LAPD Det. Joel Shunkey Serial No. 38534,
15 (Shunkey was then indicated as having been removed from the investigation), then
16 an initial investigative report by School Police Officer N. Weber and follow up
17 detective reports by LAPD Detective II Devine Pelt Serial No. 27287, and Det. III
18 Rick Yepp Serial No. 27015. None of the witness statements gathered by Baer and
19 Vanderbok are ever mentioned in these Police reports, everything is thus arguably
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1 diminished in terms of the severity what was described in the witness statements
2 initially gathered by Baer and Vanderbok after the April 20, 2012 incident.

3 **18.** Documents tendered by LAPD lawyer Jess Gonzalez in discovery show that
4 initially school Police officer Weber entered the date of John Doe's incident on his
5 report (Doc.No. 158 pg. 54-55) as April 30, 2012, instead of the true date of April
6 20, 2012. LAPD Van Nuys area detective Rick Yepp later noted the change in a
7 document filed in cv13-06373 as Doc. 159 pg. 68.

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9 **19.** A false April 30, 2012 date of incident entered by Officer Weber, placing the
10 incident closer to May 7, 2012, would arguably have had the effect of lessening the
11 impression of a delay between April 20 and May 7, 2012, if that time period was a
12 "cooling down period" while LAUSD strategized on how to "*make it go away*",
13 before Vanderbok and Baer eventually met with the victim's parents on May 7,
14 2012. A document tendered by LAUSD in discovery shows handwritten notes
15 referencing conversation and the names Vanderbok, Baer, and those of the victim's
16 parents, and is dated May 7, 2012, (filed in cv13-06373 as Doc. No. 158 pg. 66).
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18 **20.** Documents tendered by LAPD lawyer Jess Gonzalez in discovery show Van
19 Nuys High School Police Officer Weber stated in his May 7, 2012 report:
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1 “05/07/12 0900 Hours” in response to the required entry: “Date and Time reported
2 To PD ”. The report was also stamped” DPU May 7, 2012” by the Police document
3 processing unit (DPU) and referred to in later LAPD detective reports as having
4 been filed May 7, 2012, yet Weber made statement in his report that he did all his
5 alleged “investigating” and interviewed the victim on May 9, 2012, after he had,
6 according to the document, already filed the report about the asserted
7 “investigating” and “interviewing” on May 7, 2012.

10 **21.** Documents tendered by LAPD lawyer Jess Gonzalez in discovery show that by
11 **May 10, 2012**, the same witness statements shown to have been harvested by
12 Vanderbok and Baer (Doc. No.158 pg.19-21, 32-48), including the mentioned
13 death threat by John Doe 1(Doc. 158 pg. 19-21,32), were then still not in a report
14 by LAPD Van Nuys Area Detective II Devine Pelt (Serial No. 27287) about John
15 Doe 1’s incident (see Det. Devine- Pelt’s report cv13-06373 Doc. 158 pg. 57).

19 **22.** Documents tendered by LAPD lawyer Jess Gonzalez in discovery show by
20 **April 11, 2013, almost a year later**, the same witness statements shown to have
21 been harvested by Vanderbok and Baer (Doc. No.158 pg.19-21, 32-48), including
22 the mentioned death threat by John Doe 1(Doc. 158 pg. 19-21,32), were shown to
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1 not be evident in Detective II Devine Pelt's (Serial 27287) "follow up" report
2 dated April 11, 2013, (see "follow up" report Doc 158 pg. 61). A tendered
3 document dated the same day as Devine Pelt's "follow up report" April 11, 2013,
4 shows final dismissal of any battery charges against John Doe 1, authored by City
5 Attorney Alex T. Perez SBN 143317, in which Perez stated "no witnesses."
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7 **23.** Documents tendered by LAPD lawyer Jess Gonzalez in discovery show that on
8 April **15, 2013**, four days after City Attny. Alex T. Perez had already dismissed
9 any pending battery charges, the same witness statements shown to have been
10 harvested by Vanderbok and Baer, and the witnessed death threat by John Doe 1,
11 were not mentioned in Detective III Rick Yepp's (Serial 27015) "supplemental
12 follow up" report dated April 15, 2013 (Doc. 159 pg. 68). Yepp corrected the date
13 of occurrence in school Police officer Weber's earlier report. According to
14 documents tendered by LAPD, the same witness statements were missing from the
15 LAPD's "fact sheet" created that day. The fact sheet is dated April 15, 2013. (see
16 fact sheet Doc. 158 pg. 26-28).
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22 **24.** Police Commission then President Steve Soboroff personally told me on the
23 telephone, (after I sent the missing witness statements gathered by Baer and
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1 Vanderbok to his office on Montana Avenue in Santa Monica), that he would
2 “show them to everyone” and that cover up “is not what we do,” but a later email
3 by myself to Soboroff was forwarded to LAPD attorneys who then sent it back to
4 me as part of LAPD responses to my subpoena. My communication with Soboroff
5 was stopped.
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8 **25.** John Doe 1’s incident at Van Nuys High School happened on April 20, 2012.
9 Suppression of witness statements and suppression of a death threat, and no arrest
10 or prosecution of John Doe 1, would arguably have helped avoid more
11 embarrassment for John Deasy’s administration after the Miramonte scandal,
12 which had hit the news a few weeks earlier in 2012.
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15 **26.** News reports show Attny. General Kamala Harris herself came down to Los
16 Angeles and met with former LAUSD Superintendent John Deasy on August 12,
17 2014, a few weeks before Deasy left the LAUSD on Oct. 16, 2014, with a reported
18 financial severance package.
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21 **27.** LAPD and LAUSD refused to turn over the John Doe 1 incident SCAR and the
22 hand signed versions of the letters from LAPD command staff (or make
23 declaration that those letters were never hand signed). Arguably the previous court
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1 refused to do anything about LAPD and LAUSD's non-compliance with the
2 court's own order to LAPD to produce the key SCAR and additional Police
3 documents. I made repeated pleadings, and even filed the aforementioned motion
4 for an order of contempt and for sanctions (cv3-06373 Doc. No. 263) asking for
5 appointment of a Discovery Master to get control of things and have discovery
6 motion practice run its course (See Decl. Kilroy to Mtn. in cv13-06373, Doc.No.
7 263 pg. 26). That motion was disposed of as "moot" by the previous court at the
8 same time, and the "moot" decision even asserted to be because of, the previous
9 court's ruling on Defendants' MSJ as dispositive of the whole District Court case.
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11 **28.** During the revocation of my license, Prosecutor Harris' alleged role was to
12 represent the Calif. Commission on Teacher Credentialing (COTC)). The previous
13 court would not allow the addition of COTC as a Defendant (*see* denial of leave to
14 amend complaint, then leave to amend granted but with restriction: cv13-06373
15 Doc. 93 & Doc.120).

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20 **29.** The previous court would also not grant my motion to compel COTC's
21 response to a subpoena attempting to obtain evidence regarding COTC's treatment
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1 of comparator teachers and retaliation via my license revocation (*see* denial cv13-
2 06373 Doc. No. 251.)

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4 **30.** Evidence referenced above was excluded from admissibility in case cv13-
5 06373 by the previous court, even despite my motion to notice the above
6 referenced LAPD and LAUSD records judicially, (*see* cv13-06373 Mtn. Doc. No.
7 299; denial Doc. No.301), and despite the fact that they were records kept in the
8 normal course of business by the nations second largest public school district and a
9 large metropolitan public Police department.
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12 **31.** Judith Vanderbok retired. Phyllis Baer still works at Van Nuys High School.
13 As litigation in cv13-06373 intensified, sexual misconduct was falsified against me
14 and I was terminated from LAUSD, as described in the instant complaint.
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16 I declare under penalty of perjury under the laws of the United States of American
17 that the foregoing is true and correct.
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20 Executed on December 12, 2016,
21 at Los Angeles California.

22 By: /s/ Lorcan T. Kilroy
23 LORCAN T. KILROY
24 Plaintiff In Pro se
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